



PATENT

Docket No. 3553-4044US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jay S. Walker et al.

Group Art Unit: 2166

RECEIVED

Serial No : 09/518,495

Examiner: L. Nguyen

OCT 05 2001

Technology Center 210r

Filed : March 3, 2000

For : METHOD AND APPARATUS FOR THE SALE OF AIRLINE-SPECIFIED
FLIGHT TICKETS

Commissioner For Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Applicants respectfully request reconsideration of the instant application in view of the following remarks.

The Examiner has rejected each of the pending claims in view of commonly-assigned US Patent number 6,041,308 (the '308 patent). The Examiner has cited this patent as a 102(e) reference.

Applicants respectfully submit that the instant rejection fails to set-forth the applicability of the '308 patent as a 102(e) reference. The instant application has an effective filing date of July 8, 1997. The '308 patent application was filed on December 4, 1998, as a CIP of an application filed on October 3, 1997, which was a CIP of an application filed on September 4, 1997, which was a CIP of an application filed on July 8, 1997, which was a CIP of an application filed on September 4, 1996. As such, the instant rejection is proper only if the subject matter relied upon by the Examiner can be found in the September 4, 1996 application filing. Applicants respectfully submit that the instant rejection relies upon subject matter not found in the September 4, 1996 filing. In fact, the subject matter relied upon by the Examiner can only be found in applications filed on or after the instant application's July 8, 1997 filing date.